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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Pacificans For A Scenic Coast, *et al.*,

Plaintiffs,

v.

California Department of Transportation, *et al.*,

Defendants.

Civil Case No. 3:15-cv-02090-VC

**JOINT STIPULATION AND  
~~PROPOSED~~ ORDER REQUESTING  
CONTINUANCE OF THE CASE  
MANAGEMENT CONFERENCE  
AS MODIFIED BY THE COURT**

1 WHEREAS, Plaintiffs filed a First Amended Complaint on June 26, 2015 (Dkt. No. 21);

2 WHEREAS, the Federal Highway Administration, U.S. Army Corps of Engineers, and National  
3 Park Service and the U.S. Fish & Wildlife Service (hereinafter, the “Federal Defendants”) were served  
4 pursuant to Fed. R. Civ. P. 4(i)(1) on July 10, 2015;

5 WHEREAS, Federal Defendants’ responsive pleading is presently due on September 8, 2015,  
6 and the Parties have agreed to extend the deadline for the Federal Defendants to serve a responsive  
7 pleading up to and including September 11, 2015;

8 WHEREAS, the Federal Defendants intend to dismiss all claims brought against them under five  
9 statutory bases against the Federal Highway Administration, U.S. Army Corps of Engineers, and  
10 National Park Service;

11 WHEREAS, Plaintiffs and Federal Defendants accordingly agree that in order to present  
12 meaningful briefs and oppositions that address the relevant issues more than 15 pages will be required  
13 and respectfully request that the Court allow 25 pages for motions and oppositions for the Federal  
14 Defendants’ Motion to Dismiss and Plaintiffs’ opposition thereto;

15 WHEREAS, the Initial Case Management Conference is currently set for August 11, 2015 and  
16 the Joint Case Management Statement and Proposed Case Management Order is due August 4, 2015  
17 (Dkt. No. 19);

18 WHEREAS, to promote judicial economy and conserve the Parties’ resources, the Parties request  
19 that the hearing on all Defendants’ motions to dismiss and the Initial Case Management Conference be  
20 scheduled on the same date;

21 WHEREAS, the Parties have agreed to reserve any issues concerning initial disclosures and  
22 discovery until after the Court has ruled on the motion to dismiss and administrative record(s) have been  
23 produced;

24 Pursuant to Civil L.R. 6-2, the Parties jointly stipulate and request that the Court order the  
25 following:  
26  
27

1           1.       Federal Defendants' time to respond to Plaintiffs' First Amended Complaint for  
2 Declaratory and Injunctive Relief (Dkt. No. 21) is extended to September 11, 2015. This extension will  
3 not alter the date of any event or any deadline already fixed by Court order.

4           2.       Opposition to the Federal Defendants' motion to dismiss shall be due October 2, 2015.  
5 The Federal Defendants' reply shall be due October 16, 2015.

6           3.       Federal Defendants' Motion to dismiss and Plaintiffs' opposition thereto shall be limited  
7 to 25 pages.

8           4.       The hearing on the motions to dismiss and the initial Case Management Conference will  
9 be held on October 29, 2015, or such other date as the Court may find convenient. The Joint Case  
10 Management Statement and Proposed Case Management Order shall be due seven days prior to the  
11 scheduled hearing.

12  
13 Respectfully submitted,

14 Dated July 28, 2015

16 /s/ Christopher Sproul

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~~PROPOSED~~ ORDER AS MODIFIED BY THE COURT

Pursuant to STIPULATION:

1. Federal Defendant's time to respond to Plaintiffs' First Amended Complaint for Declaratory and Injunctive Relief (Dkt. No. 21) is extended to September 11, 2015.
2. Opposition to the Federal Defendants' motion to dismiss shall be due October 2, 2015. The Federal Defendants' reply shall be due October 16, 2015.
3. The hearing on Caltrans' and Federal Defendants' motions to dismiss ~~and the initial Case Management Conference~~ shall be set for October 29, 2015 at 10 a.m. in Courtroom 4, 17th Floor.
4. The Joint Case Management Statement and Proposed Case Management Order shall be due seven days prior to the scheduled hearing, which is now November 10, 2015, at 10:00 a.m.
5. ~~The Federal Defendants' Motion to dismiss and Plaintiffs' opposition thereto shall be limited to 25 pages.~~

**IT IS SO ORDERED.**

Dated: July 30, 2015.

